



LUMMI NATION

COMMERCIAL HARVEST DIVING STANDARDS

REGULATION 2013-24

This regulation is promulgated under the Authority of Title 10, the Natural Resources Code, and shall apply to all fishers, including owners of commercial harvest diving vessels, experienced dive operators, experienced divers, trainee divers, and hose tenders, engaged in commercial harvest diving operations under the jurisdiction of the Lummi Nation, until superseded or incorporated directly in Title 10.

It shall be a violation of this regulation to participate in commercial harvest diving operations under the jurisdiction of the Lummi Nation without specific written approval from the Lummi Fisheries and Natural Resources Commission and the Lummi Natural Resources Department (LNR). It shall also be a violation of this regulation to participate in commercial harvest diving operations under the jurisdiction of the Lummi Nation without complying with the guidelines and practices set forth in the July 2013 version of the LNR Commercial Harvest Diving Standards (hereafter, 'the standards'). Finally, it shall be a violation of this regulation for fishers, including owners of commercial harvest diving vessels, experienced dive operators, experienced divers, trainee divers, and hose tenders, permitted to engage in commercial harvest diving operations under the jurisdiction of the Lummi Nation to participate in such operations beyond the limits of their training and experience and beyond the specific operations set forth in the standards.

Violations of this regulation are punishable by civil penalties as follows:

Major Violations (including but not limited to unsafe operations, unauthorized diving equipment or inadequate life support equipment, unauthorized personnel, and negligent diving practices resulting in injury or death)

1. First Violation
 - a. \$500.00 – \$1,000.00 and/or loss of harvest privileges for 1 to 4 months

2. Subsequent Violations

- a. \$1,000.00 – \$5,000.00 and/or loss of harvest privileges for 6 months to one year.

Minor Violations (including but not limited to failure to maintain accurate or current shipboard dive logs, failure to maintain current certification in first aid, CPR, and emergency oxygen administration after initial certification, or failure to produce a shipboard copy of the standards upon request)

1. First Violation

- a. \$50.00 – \$100.00

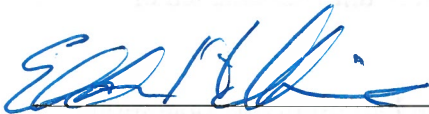
2. Second Violation

- a. \$100.00 – \$200.00 and/or loss of harvest privileges for 1 to 4 months

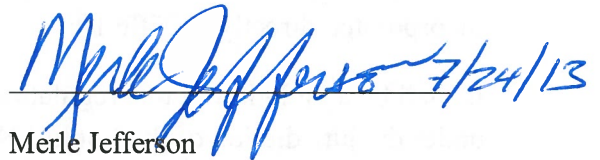
3. Subsequent Violations

- a. \$150.00 – \$400.00 and/or loss of harvest privileges for 6 months to one year.

APPROVED BY A VOTE OF 9 FOR AND 0 AGAINST BY THE LUMMI FISHERIES AND NATURAL RESOURCES COMMISSION IN THEIR MEETING OF JUNE 6, 2013, A QUORUM BEING PRESENT.



Elden Hillaire
Chair, LFNRC



Merle Jefferson
Executive Director, Natural Resources